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U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 29, 2008

HAND DELIVERY

The Honorable Victor Marrero
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: U.S. v. \$12,685,257.10 in United States Currency
07 Civ. 11089 (VM)

Dear Judge Marrero:

This letter is in response to the Court's Order dated April 28, 2008, dismissing the above-referenced action for lack of prosecution and to request that the action be reinstated to allow the Government to move for a default judgment. I apologize to the Court for the Government's failure to respond to the Court's Order of April 16, 2008. I was out of the country on Government business and somehow did not receive a copy of the April 16 Order by electronic filing nor did I receive a written copy of the Order.

In the April 16 Order, the Court requested that the Government clarify the status of this action. As stated in paragraph 12 of the Verified Complaint, this action is based on an agreement between Belle Six and the Government in which Ms. Six agreed to forfeit the defendant-in-rem to the United States. John W. Moscow, counsel for Belle Six, was served with a copy of the complaint by certified mail on December 14, 2007. Notice of the complaint was published in the New York Post on December 27, 2007, January 3, 2008, and January 10, 2008. Unfortunately, this Office neglected to file these notices on the Court's docket until yesterday.

As Belle Six, the only party with an interest in the defendant-in-rem, has been served with notice of this action and has agreed to the forfeiture, notice has been published in the New York Post, and no claims or answers have been filed, the

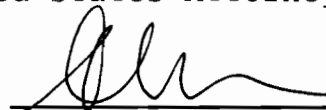
Government intends to file a motion for a default judgment to forfeit the funds to the United States.

Accordingly, the Government respectfully requests that the Court reinstate the action to the Court's active docket, and permit the Government to file a motion for default judgment. Again, the Government apologizes to the Court for this oversight and for any inconvenience this has caused the Court.

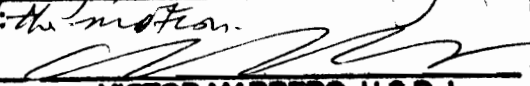
Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:



SHARON COHEN LEVIN
Assistant United States Attorney
Chief, Asset Forfeiture Unit
Tel.: (212) 637-1060

<i>The Government as plaintiff in this action is authorized to move for entry of default judgment against in-person defendant herein. Upon the filing of such motion the case shall be reopened for the purpose of the Court's ruling on</i>	
SO ORDERED: <i>the motion.</i>	
<i>5-1-08</i>	
DATE	VICTOR MARRERO, U.S.D.J.